

REMARKS

In the Office Action mailed May 17, 2007, claims 1-12, 14-34, 36-38 and 45-50 are pending and stand rejected. Claims 1-12, 14-34, 36-38 and 45-50 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,683,885 ("Sugai") in view of U.S. Patent No. 6,769,043 ("Fedorkow") and further in view of U.S. Patent Publication No. 2004/0202164 ("Hooper").

As an initial matter, pursuant to the Examiner's suggestion, Applicants amend the independent claims to actively recite determining whether the second network interface is different than the first network interface. Applicants therefore request reconsideration and withdrawal of the § 112 rejections of claims 1, 14, 25, 26, 28, 32, and 38.

Applicants appreciate the courtesies extended to the Undersigned by Examiner Boutah during the telephonic interview of August 15, 2007. During the interview, Applicants discussed the objection to the specification and amended independent claims 1 and 28, and dependent claim 2.

In relation to the objection to the specification, Applicants noted to Examiner Boutah that the application, as filed, included claims reciting "computer readable media containing a plurality of instructions that, when executed by at least one processor"... "causes the at least one processor to perform a method." The claims of a patent application are part of its specification. Therefore, the specification did, in fact, disclose a computer readable medium. Moreover, one of ordinary skill in the art would understand that such a computer readable medium would include, for example, optical or magnetic disks storing source and or object code capable of execution by a processor. Applicants therefore request reconsideration and withdrawal of the objection to the specification.

In relation to amended independent claim 1, Examiner Boutah agreed that the cited passages of Hooper and Federokow failed to cure the deficiencies of Sugai. Specifically, Examiner Boutah agreed the cited passages of Hooper and Fedorkow fail to describe determining if the second network interface is different than the first network interface and, in response to determining that the second network interface is different from the first network interface, forwarding a data unit to the second network interface for transmission, as recited in amended independent claim 1. Thus, Applicants request reconsideration and withdrawal of the § 103 rejection of claim 1. Amended independent claims 14, 25, and 26 recite similar subject matter. Claims 2-12, 15-24, and claim 27

depend from claims 1, 14, and 26, respectively, and add further limitations thereto. Therefore, Applicants request reconsideration and withdrawal of the § 103 rejections of claims 2-12 and 14-27.

In addition, the Undersigned and Examiner Boutah specifically discussed dependent claim 2. In particular, the Undersigned described how, even if it would have been obvious to combine the cited references to form the method of claim 1, which as discussed above, Applicants have demonstrated it would not be, it would not have been obvious to combine the references to carry out the method on an ad hoc network. Ad hoc networks include mobile wireless nodes, operating in an evolving network topology based on which routing and forwarding decisions are made. For example, nodes may move out of the network as they move away from other nodes, while new nodes may join the network as they move within radio range of another node on the network. By the same token, movement of a node may result in one path through the network becoming more desirable than previously utilized paths. This topology evolution motivates the methodology recited in claim 1. That is, because the network topology may change in the time between when a data unit is first assigned to a queue associated with a network interface and the transmission of the data unit, identifying a new network interface for transmission after the initial queuing may prevent data units from being transmitted based on outdated topology information.

Neither Hooper nor Federkow contemplate routing or forwarding data units over an ad hoc network. For example, the queuing policy of Federkow is designed for fixed network resources, to ensure fair access to upstream trunk bandwidth. Abstract. As the references fail to address the complexities and challenges associated with the evolving network topologies inherent in ad hoc networks, one of ordinary skill in the art would not be motivated to combine the references for use on such a network. Therefore, for this additional reason, Applicants request reconsideration and withdrawal of the § 103 rejection of claim 2. Applicants add new claims 51-57 to depend from independent claims 14, 25, 26, 28, 32, 38, and 45 to recite similar subject matter. Therefore, Applicants request reconsideration and withdrawal of the § 103 rejections of these claims, too.

Examiner Boutah agreed that amended claim 28 patently distinguishes over the cited references. In particular Examiner Boutah agreed that none of the cited references describes determining when a node is ready to transmit a data unit and identifying a second interface in response to such a determination. Thus, Applicants request reconsideration and withdrawal of the